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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/917,099      07/26/2001      Norio Oku      9770

26021      7590      01/11/2005

HOGAN & HARTSON L.L.P.  
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SUITE 1900  
LOS ANGELES, CA 90071-2611

EXAMINER
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DI GRAZIO, JEANNE A

ART UNIT	PAPER NUMBER
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2871

DATE MAILED: 01/11/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/917,099

Applicant(s)

OKU ET AL.

Examiner

Jeanne A. Di Grazio

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2871

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 27 October 2004.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 16-23 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 16-23 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 July 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948)                                    | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Claims***

Claims 16-23 are pending with claims 16-19 and 21-23 having been amended per Applicant's Amendment of October 27, 2004.

### ***Priority***

Priority to Japanese Patent Application No. 2000-229575 (July 28, 2000) is claimed.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 16, 17 and 20-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over United States Patent 5,677,749 (to Tsubota et al.) in view of United States Patent 6,222,603 B1 (to Sakai et al.).

As to claims 16, 17 and 20-23, Tsubota teaches and discloses a step of disposing a thermosetting sealing member around an outer peripheral region of a display area substrate (Figure 1, sealing member #64, substrate #63 ; see also Column 3, Line 4), heating and curing the thermosetting seal material while applying a load to an upper surface plate of a display panel body through upper and lower surface plates (Figure 3, display panel body = 204-206 ; upper surface plate 201 ; lower surface plate 206)(Applicant's "heating and curing said thermosetting seal material while applying a pressure from said outer surface of said display panel body to between said substrates through said buffer plates"). Tsubota also teaches and discloses an elastic sheet having a profile corresponding to panel display areas (Figure 10, elastic sheet 33).

Tsubota does not appear to explicitly specify a thermally conductive buffer plate of a rigid film having a high rigidity and buffer films of a lower rigidity that the rigidity of the rigid film.

Sakai teaches and discloses a method of manufacturing a liquid crystal display device with a double seal (Title, entire patent). With reference to Sakai's third embodiment / Figure 7 (by way of non-limiting example), Sakai teaches and discloses a buffer plate (12) having a hard layer (200) covered by an elastic layer (100). Sakai explicitly teaches and suggests that the elastic layer (100) absorbs dispersion of thickness and bending of two substrates while the hard layer (200) vertically repulses pressure to any point of the substrates (Column 6, Lines 54-67).

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That is, Sakai provides one of ordinary skill in the field of liquid crystals with a reason, suggestion, and motivation for having a layered buffer plate for (1) absorbing dispersion of thickness and bending of substrates and (2) for vertically repulsing pressure at any point on substrates (Id.).

Please note that it has been held that mere duplication of the essential working parts of a device involves only routine skill in the art. A buffer plate having a hard layer sandwiched by elastic layers would be within the realm of one skilled in the art of liquid crystals in light of the Sakai teaching that an elastic layer as part of a buffer plate ensemble absorbs dispersion of thickness and bending of substrates.

Therefore, it would have been obvious to one of ordinary skill in the art of liquid crystals at the time the invention was made to modify Tsubota in view of Sakai for a manufacturing method in which a buffer plate assembly provides for more constantly forming a uniform cell gap (Sakai at Column 6, Lines 62-63).

Claims 18 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over United States Patent 5,677,749 (to Tsubota et al.) in view of United States Patent 6,222,603 B1 (to Sakai et al.) and further in view of United States Patent 3,655,477 (to Scholl et al.).

As to claims 18 and 19, Tsubota does not appear to explicitly specify buffer film of polytetrafluoroethylene.

Scholl teaches and discloses a method of making heat sealed articles in which a buffer film of polytetrafluoroethylene is preferred so that melted heat seal may be prevented from sticking to a die (Column 2, Lines 55-66).

Scholl is evidence that ordinary workers in the field of liquid crystals and methods of manufacturing LCD panels would have found the reason, suggestion and motivation to form buffer films of polytetrafluoroethylene so that melted heat seal may be prevented from sticking to a die (Column 2, Lines 55-66).

Therefore, it would have been obvious to one of ordinary skill in the art of liquid crystals at the time the invention was made to modify Tsubota in view of Scholl so that melted heat seal may be prevented from sticking to a die (Column 2, Lines 55-66).

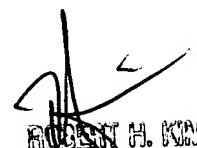
***Response to Arguments***

Applicant's arguments with respect to claims 16-23 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

  
**ROBERT H. KWAN**  
**SUPERVISORY PATENT EXAMINER**  
**TECHNOLOGY CENTER 2800**

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeanne A. Di Grazio whose telephone number is (571)272-2289.

The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Kim, can be reached on (571)272-2293. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Jeanne Andrea Di Grazio  
Patent Examiner  
Art Unit 2871